



1642

PTO/SB/21 (09-04)

**TRANSMITTAL FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

42

Application Number

09/855,342

Filing Date

May 14, 2001

First Named Inventor

CALIGIURI et al.

Art Unit

1642

Examiner Name

S. Rawlings

Attorney Docket Number

PL015993.0002 (2300-15993)

**ENCLOSURES (Check all that apply)**

☐ Fee Transmittal Form (duplicate)

☐ Fee Attached

☒ Amendment/Reply (41 pages)

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Req (duplicate)

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Reply to Missing Parts/ Incomplete Application

☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

☐ After Allowance Communication to TC

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to TC

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

ReturnReceipt Postcard (1 page)

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 18-1648.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

Robins & Pasternak LLP

Signature

*Jenny Buchbinder*

Printed name

Jenny Buchbinder

Date

*January 23, 2006*

Reg. No.

48,588

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Denise M. Vaillancourt

Date

*1/23/06*



USSN: 09/855,342  
Atty. Dkt. No.: PL15993.002  
2300-15993

**PATENT**

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Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application of:

CALIGIURI et al.

Serial No.: 09/855,342

Filing Date: May 14, 2001

Title: METHODS OF THERAPY FOR CANCERS  
CHARACTERIZED BY OVEREXPRESSION  
OF THE HER2 RECEPTOR PROTEIN

Examiner: S. Rawlings

Group Art Unit: 1642

Confirmation No.: 8842

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Sir:

This paper is responsive to the Notice of Non-Compliant Amendment dated January 12, 2006, with a shortened statutory period of one month for response. Accordingly, this response is timely filed.

This paper is identical to the Amendment filed August 5, 2005 that was found non-compliant, with the exception that the typographical errors have been corrected that were present in the amendments made to the specification. Reconsideration of the application in view of the following amendments and remarks is respectfully requested.

**Amendments to the specification** begin on page 2 of this paper.

**Amendments to the claims** begin on page 9 of this paper.

**Remarks** begin on page 21 of this paper.